

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

**TANYA SHANAHAN**, individually and on behalf of all others similarly situated,

Case No.: 3:22-cv-05484-BHS-JRC

**Plaintiff,**

**ORDER GRANTING PLAINTIFF'S  
UNOPPOSED MOTION FOR  
PRELIMINARY APPROVAL OF CLASS  
ACTION SETTLEMENT**

**7-ELEVEN, INC., a Foreign Profit Corporation, and DOES 1-10, inclusive,**

NOTING DATE: March 2, 2023

**Defendant.**

## Without Oral Argument

**ORDER GRANTING PLAINTIFF'S MOTION  
FOR PRELIMINARY APPROVAL  
CASE NO. 3:22-cv-05484-BHS-JRC**

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TACOMA, WASHINGTON 98406  
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1       The above-titled matter came before this Court upon Plaintiff's Unopposed Motion for  
2 Preliminary Approval of Class Action Settlement (the "Motion"). Based upon the memoranda,  
3 exhibits, and all the files and proceedings herein, the Court finds as follows:

4       1.      The Court grants preliminary approval of the Parties' Settlement on the terms set  
5 forth in the Settlement Agreement filed with the Motion and attached as **Exhibit 1** to the  
6 Declaration of Craig J. Ackermann in support of the Motion.

7       2.      The terms set forth in the Settlement Agreement appear to be fair, adequate and  
8 reasonable to the Class, and the Court preliminarily approves the terms of the Settlement  
9 Agreement, including terms providing for:

- 10       a.     A Total Settlement Amount<sup>1</sup> of \$1,150,000;
- 11       b.     Payment from the Total Settlement Amount of (i) Class Counsel attorneys'  
12 fees of 30% of the Total Settlement Amount (\$345,000); (ii) an award of  
13 costs to Class Counsel, not to exceed \$20,000; (iii) a Class Representative  
14 Service Award to the named Plaintiff, not to exceed \$10,000; and (iv) the  
15 Settlement Administrator's actual fees and expenses (\$26,750).
- 16       c.     Allocation of the Net Settlement Amount (the Total Settlement Amount less  
17 the deductions provided for above) to Settlement Class Members based on  
18 their pro rata share, and the calculation and payment of Individual  
19 Settlement Payments as provided for in paragraph 7.5.2 of the Settlement  
20 Agreement.

21       3.      The Court grants the Parties' request for certification of the following Settlement  
22 Class under Rule 23(b)(3) for the sole and limited purpose of implementing the terms of the  
23 Settlement Agreement, subject to this Court's final approval:

24  
25  
26  
27       

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<sup>1</sup> Unless otherwise defined in this Order, capitalized terms have the same meaning as defined in the Settlement  
Agreement ("S.A.").

1 All individuals who worked for Defendant and/or at a corporate owned 7-Eleven  
 2 location in Washington State as a convenience store employee in a non-managerial  
 3 and/or non-exempt position at any time from June 3, 2019 through December 31,  
 4 2022 (collectively, "Class Members").  
 5

6 4. The Court preliminarily appoints Plaintiff's counsel, Craig Ackermann, Brian  
 7 Denlinger, and Avi Kreitenberg of Ackermann & Tilajef, P.C. and Tatiana Hernandez of Law  
 8 Office of Tatiana Hernandez, P.C., as Class Counsel for the Settlement Class, and Plaintiff Tanya  
 9 Shanahan as Class Representative for the Settlement Class.  
 10

11 5. This Court approves, as to form and content, the Notice of Settlement ("Class  
 12 Notice"), in substantially the form attached to the Settlement Agreement as **Exhibit A**. The Court  
 13 approves the procedure for Class Members to opt out of, and to object to, the Settlement as set  
 14 forth in the Settlement Agreement and the Class Notice.  
 15

16 6. The Court confirms CPT Group, Inc. as the Settlement Administrator.  
 17

18 7. The Court directs the mailing of the Class Notice by first class mail to the Class  
 19 Members in accordance with the schedule set forth below. The Court finds the dates selected for  
 20 the mailing and distribution of the Class Notice, as set forth below, meet the requirements of due  
 21 process and provide the best notice practicable under the circumstances, and shall constitute due  
 22 and sufficient notice to all persons entitled thereto.  
 23

24 8. The Court adopts the following dates and deadlines:  
 25

TIME	EVENT
Within 30 calendar days after the Court grants preliminary approval of the Settlement	Defendant to provide the class list and class data to the Settlement Administrator. (S.A., ¶ 5.3)
Within 45 calendar days after the Court grants preliminary approval of the Settlement	Settlement Administrator to mail the Class Notices to Class Members. (S.A., ¶ 5.4).

1 2 3 4	45 calendar days after Class Notice mailing date (the “Consideration Period”)	Deadline for Class Members to submit a written Request for Exclusion, to challenge their workweeks data used to calculate Individual Settlement Payments, and/or to file an objection to the Settlement. (S.A., ¶¶ 1.10, 6.1-6.3)
5 6 7 8 9	Within 14 days after the expiration of the Consideration Period	Settlement Administrator will prepare a declaration to submit to the Court regarding responses to the Notice of Settlement, including such information as any inability to deliver mailings because of invalid addresses, the number of any Requests for Exclusion, and the number of any Objections. (S.A., ¶ 6.4)

10       9. Class Counsel shall file a memorandum of points and authorities in support of their  
 11 motion for approval of attorneys' fees and litigation expenses no later than July 20, 2023.

12       10. Class Counsel shall file a memorandum of points and authorities in support of the  
 13 final approval of the Settlement Agreement no later than July 20, 2023.

14       11. A Final Approval Hearing on the question of whether the proposed Settlement,  
 15 including the proposed attorneys' fees and cost reimbursement to Class Counsel, the Class  
 16 Representative Service Award to Plaintiff, allocation and distribution of the Net Settlement  
 17 Amount to Settlement Class Members, and the binding effect of the releases set forth in the  
 18 Settlement Agreement and Class Notice, should be finally approved as fair, reasonable and  
 19 adequate as to the members of the Settlement Class and is scheduled for August 21, 2023 at 3:00  
 20 PM.

21  
 22           **IT IS SO ORDERED.**

23  
 24       Dated: March 8th, 2023



BENJAMIN H. SETTLE  
 United States District Judge